

Message Text

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PAGE 01 STATE 072869

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FM SECSTATE WASHDC

TO AMEMBASSY LISBON PRIORITY

C O N F I D E N T I A L STATE 072869

E.O. 11652: GDS

TAGS: TECH PO

SUBJ: U.S. PORTUGAL AGREEMENT FOR COOPERATION

REF : (1) LISBON 1219, (2) LISBON 1238, (E) STATE 45165

1. SUBJECT TO ISSUE DISCUSSED PARA 2 BELOW, INITIALING OF AGREEMENT CAN PROCEED WITHOUT PORTUGUESE TEXT AS SOON AS USAEC COMMISSIONERS GIVE APPROVAL. REPORT REF (2) VERY HELPFUL IN MOVING AHEAD WITH INITIALING. WE ASSUME GOP DOES NOT RPT NOT INTEND TO REPLY TO PNE NOTE. PLS CONFIRM.

2. RE DEMARCHE ON NPT ADHERENCE, REFERENCE TO SENSITIVE MATERIALS AND TECHNOLOGY WAS NOT INTENDED TO COVER LOW-ENRICHED URANIUM SUCH AS USED IN FUELING LIGHT-WATER POWER REACTORS BUT RATHER POTENTIAL FUTURE DEVELOPMENTS IN AREAS SUCH AS URANIUM ENRICHMENT TECHNOLOGY, LARGE QUANTITIES OF HIGHLY ENRICHED URANIUM, AND OTHER HIGHLY CONFIDENTIAL

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PAGE 02 STATE 072869

SENSITIVE MATTERS RE WHICH NPT POSITION MIGHT DEVELOP

TO SIGNIFICANT FACTOR. WE ARE CONSIDERABLY CONCERNED, HOWEVER, RE IMPLICATION IN PARA 3, REF (1) THAT PORTUGUESE INTERPRET U.S. ACCEPTANCE OF LANGUAGE FOR ARTICLE XII.C. TO BE A GUARANTEE OF ACCESS TO MATERIALS UNDER BILATERAL IRRESPECTIVE OF FUTURE MULTILATERAL DECISIONS. THE LANGUAGE AGREED UPON DOES NOT SAY THIS (SPEAKS ONLY OF EXAMINING THE SITUATION, ETC. SEE ARTICLE 12C OF THE AGREEMENT.) AND IT WAS NOT USG INTENT IN ACCEPTING LANGUAGE TO GIVE ANY SUCH GUARANTEE. IF GOP UNDER IMPRESSION IT HAS RECEIVED A GUARANTEE, POSITION MUST BE CLARIFIED IMMEDIATELY BECAUSE WE CANNOT PROCEED WITH AGREEMENT ON BASIS OF ANY SUCH MISUNDERSTANDING. REQUEST ADVICE PROMPTLY.

3. GUIDANCE ON NPT DEMARCHE AND PARA 4, REF (1) WILL BE PROVIDED UPON RECEIPT EMBASSY'S COMMENTS PARA 2 ABOVE. KISSINGER

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